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REMARKS

In response to the Office Action dated August 9, 2006, claims 1, 5 and 9 have been amended. Claims 13-18 were withdrawn by the Applicant in a previous amendment. Claims 1-12 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1, 3, 5, 7, 9 and 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shane et al. (U.S. Patent Application No. 20020016772) in view of Grunbok, Jr. et al. (U.S. Patent No. 6,305,603). The Office Action rejected claims 2, 4, 6, 8, 10 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shane in view of Grunbok and further in view of Water et al. (U.S. Patent Application No. 20020147600).

The Applicant respectfully traverses these rejections based on the amendments to the claims and the arguments below.

Claims 1, 5 and 9 now include a printer configured to locally print a negotiable instrument from the digital checkbook of the user for an amount defined by the financial transaction between the user and the purchasee. Also, claims 5 and 9 now include a biometric scanner that validates the identity of the individual at periodic intervals. Last, claim 9 now includes a voice recognition data input device configured to interpret human speech and voice commands and being operatively coupled to the processor for using the human speech interpretation to automatically find both negotiable instrument payee information and electronic funds routing information.

In contrast, the cited references, in combination or alone, do not disclose all of these this features. For example, the combined references merely disclose automated banking (Shane reference), a personal digital assistant (PDA) based financial transaction system (Grunbok reference), and a fingerprint scanner device (Waters reference). Although the combined references disclose a PDA that allows access to financial account(s) from a store and allows for financial transactions and immediate account updates via a PDA (Grunbok reference) and a printer (Shane reference), the printer is a "receipt printer" (see paragraph [0064] of Shane). This is very different from the Applicant's claimed printer that is configured to locally print a negotiable instrument from the digital checkbook.

Further, with regard to claims 5 and 9, the combined references are missing the Applicant's biometric scanner that validates the identity of the individual at periodic

Intervals and a voice recognition data input device configured to interpret human speech and voice commands and being operatively coupled to the processor for using the human speech interpretation to automatically find both negotiable instrument payee information and electronic funds routing information. Therefore, since the combined references are missing features of the Applicant's claimed invention, the combined references cannot render the Applicant's invention obvious. This failure of the cited reference to disclose, suggest or provide motivation for the Applicant's claimed invention indicates a lack of a prima facie case of obviousness and, thus, the rejections should be withdrawn (MPEP 2143).

With regard to the rejection of the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant kindly invites the Examiner to telephone the Applicant's attorney at (818) 885-1575 if the Examiner has any questions or concerns. Please note that all correspondence should continue to be directed to:

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Respectfully submitted,
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